

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-30019-MAP
)	
ROOSEVELT ARCHIE,)	
Defendant.)	
)	

**ASSENTED TO MOTION TO ENLARGE TIME FOR FILING OF GOVERNMENT'S
RESPONSE TO DEFENDANT'S SUPPLEMENTAL MOTION TO SUPPRESS STATMENTS**

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully requests this Court to enlarge the time for filing of the government's response to Defendant's Motion to Suppress Evidence from March 23, 2005 to March 30, 2005.

In support of this motion, the government states the following:

1. The government received the Defendant's above-referenced supplemental memorandum of law on March 16, 2005. Upon reading the document, the undersigned Assistant U.S. Attorney discovered that the March 2, 2005, testimony of Sergeant Christopher Burns's testimony was in dispute, and that the evidence in dispute was relevant to the Defendant's suppression motion. Specifically, Defendant's memorandum states that Sergeant Burns asked the Defendant a question - whether there were any firearms in the house - before

giving Miranda warnings to the Defendant. Both the undersigned Assistant U.S. Attorney and Sergeant Burns believe that Burns testified that he gave Miranda warnings to the Defendant before asking the Defendant any questions.

2. To resolve this disputed evidence, I requested an expedited transcript from the court reporter, Alice Moran. Although Moran completed the transcript today, March 22, 2005, I have not yet had the opportunity to review the transcript and to respond to the Defendant's motion.

The Defendant, through Attorney Alan Black, consents to this motion requesting additional time. This request does not cause undue delay, and is in the interests of justice.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/s Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
March 22, 2005

I, Paul Hart Smyth, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by facsimile on March 4, 2005, to Attorney Alan Black.

s/s Paul Hart Smyth
Paul Hart Smyth
Assistant U.S. Attorney